



Republican National Committee

E. Mark Braden
Chief Counsel

Michael A. Hess
Randall Davis
Deputy Chief Counsels

February 5, 1987

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

RE: MUR 2314

ATTN: Lois G. Lerner
Associate General Counsel

Dear Mr. Steele:

I am writing in response to your letter of January 20, 1987, addressed to Mr. William J. McManus, Treasurer of the Republican National Committee.

Your letter states that the Federal Election Commission has received a complaint alleging that the Republican National Committee (RNC) may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (FECA). Your letter enclosed a copy of a complaint from Richard Segerblom. This complaint contained no factual allegations upon which it is possible to conclude that the RNC may have violated any provisions of the FECA. The vague statements made regarding possible conduct of the RNC fail to meet the Commission's requirements for complaints. The allegations in regard to the RNC are not based upon personal knowledge, but upon information and belief. The Federal Election Commission's regulations require that: "statements which are not based upon personal knowledge should be accompanied by an identification of the source of information which gives rise to the complainant's belief and the truth of such statement." [11 CFR 111.4(d)(2)].

The complainant fails totally to provide any source of information which gives any, even tenuous, basis for his assertion. His complaint states, on page 4, paragraph 4: "I also believe, that it is possible some of those funds represent contributions solicited by the RNC and transferred from the RNC to the RSCC for the purpose of contributing those sums to the Santini Committee." If the language of the Commission's regulations is to have any

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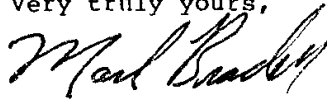
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meaning, such vague allegations must be supported by some source of information that would give rise to a belief of the truth of such statement. The complaint fails to provide any such support.

Attached to this response is an affidavit by the RNC's Director of Administration, Jay C. Banning, stating expressly that the RNC has never transferred funds to the National Republican Senatorial Campaign Committee for the purpose of contributing those sums to the Santini for Senate Committee, and the RNC has never acted as a conduit for contributions from individuals to the Santini for Senate Committee.

For these reasons, the complaint should be immediately dismissed by the Commission. If you should have additional questions in regard to this matter, please do not hesitate to contact my office.

Very truly yours,




E. Mark Braden

EMB:jd
Enclosure

AFFIDAVIT OF JAY C. BANNING

Jay C. Banning, being first duly sworn hereby deposes and says:

1. My name is Jay C. Banning, and I am Director of Administration of the Republican National Committee.
2. I reside at 1833 California Street, N.W. #201, Washington, D.C. 20009.
3. The Republican National Committee has never transferred funds to the National Republican Senatorial Campaign Committee for the purpose of contributing those sums to the Santini for Senate Committee.
4. The Republican National Committee has never acted as a conduit for contributions from individuals to the Santini for Senate Committee.
5. I certify, under penalty of perjury, that the above is true and correct according to my information and belief.

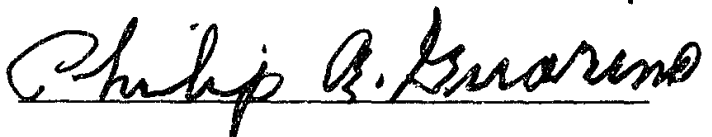


Jay C. Banning

2/8/87

Date

Subscribed and sworn to before me on this 5TH day of February, 1987.



Notary Public

My Commission Expires: My Commission Expires June 14, 1991,